

Message Text

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PAGE 01 GENEVA 02670 211631Z
ACTION IO-14

INFO OCT-01 EUR-12 ISO-00 SNM-05 DEAE-00 CIAE-00
INR-10 JUSE-00 NSAE-00 CTME-00 TRSE-00 USIA-06
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E. O. 11652: N/A
TAGS: SNAR, UN, WB
SUBJECT: FIFTH SPECIAL SESSION, COMMISSION ON NARCOTIC
DRUGS: SOVIETS RAISE WEST BERLIN ISSUE

1. DURING FEBRUARY 16 DISCUSSION OF REPORT OF DIVISION OF
NARCOTIC DRUGS (DND)(AGENDA ITEM 6A), SOVIET REPRESENTA-
TIVE OBJECTED TO INCLUSION OF THE FEDERAL OPIUM SECTION OF
THE FEDERAL HEALTH OFFICE LOCATED IN WEST BERLIN AS THE
COMPETENT INSTITUTION OF THE FRG EMPOWERED TO ISSUE
CERTIFICATES AND AUTHORIZATIONS FOR THE IMPORT AND EXPORT
OF NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES IN THE LIST
OF NATIONAL AUTHORITIES PUBLISHED BY THE DND (DOCUMENT
E/NA 1976 OF 15 AUGUST 1977 AT P. 11). HE EXPRESSED HOPE
THAT IN THE FUTURE SUCH INFORMATION WOULD NOT BE PUBLISHED
IN UN DOCUMENTS, AND REFERRED TO A SOVIET LETTER ON THIS
TO THE DIRECTOR GENERAL OF THE UN OFFICE AT GENEVA DATED
FEBRUARY 9.

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PAGE 02 GENEVA 02670 211631Z

2. THE UK REPRESENTATIVE RESPONDED AS FOLLOWS ON BEHALF
OF THE UK, FRANCE AND US:
QTE THE ESTABLISHMENT OF THE FEDERAL HEALTH OFFICE IN
THE WESTERN SECTORS OF BELIN WAS APPROVED BY THE
BRITISH, FRENCH AND AMERICAN AUTHORITIES ACTING ON
THE BASIS OF THEIR SUPREME AUTHORITY. THESE AUTHOR-
ITIES ARE SATISFIED THAT THE FEDERAL HEALTH OFFICE

DOES NOT PERFORM IN THE WESTERN SECTORS OF BERLIN
ACTS IN EXERCISE OF DIRECT STATE AUTHORITY OVER THE
WESTERN SECTORS OF BERLIN. NEITHER THE LOCATION
NOR THE ACTIVITIES OF THAT OFFICE IN THE WESTERN
SECTORS OF BERLIN THEREFORE CONTRAVENE ANY OF THE
PROVISIONS OF THE QUADRIPARTITE AGREEMENT. IN THESE
CIRCUMSTANCES THERE CAN BE NO REASON TO EXCLUDE AFTER
18 YEARS MENTION OF THE FEDERAL HEALTH OFFICE
FROM OFFICIAL DOCUMENTS OF THE UNITED NATIONS.
UNQTE

3. THE DIRECTOR OF THE DIVISION OF NARCOTIC DRUGS
ACKNOWLEDGED RECEIPT OF THE SOVIET LETTER, AND SAID THE
DIVISION WOULD STUDY THE MATTER WITH COMPLETE OBJECTIVITY
AND REPORT ITS CONCLUSIONS.

4. ALTHOUGH NOT REFERRED TO IN THE COMMISSION EXCHANGE,
THE GDR SIMILARLY SENT A LETTER TO THE DIVISION ON
FEBRUARY 9 CONTESTING THE LISTING AND LEGALITY OF THE
OFFICE IN WEST BERLIN.

5. THE SOVIET REPRESENTATIVE SUBSEQUENTLY MADE ANOTHER
INTERVENTION ASSERTING THAT THE FEDERAL HEALTH OFFICE
QTE WAS UNLAWFULLY ESTABLISHED IN WEST BERLIN IN VIOLATION
OF A PROVISION OF THE QUADRIPARTITE AGREEMENT OF
3 SEPTEMBER 1971 UNQTE. FRG REPRESENTATIVE SPOKE DECLAR-
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PAGE 03 GENEVA 02670 211631Z

ING THAT HIS GOVERNMENT SHARED THE POINT OF VIEW OF FRANCE,
THE US AND THE UK AND REGRETTING THE ATTEMPT OF THE SOVIET
UNION TO OBJECT TO THE FEDERAL HEALTH OFFICE'S CONTRIBU-
TIONS TO THE WORK OF THE DND. HE STATED AS A MATTER OF
PRINCIPLE THAT EACH COUNTRY MAY DECIDE WHICH OF ITS ORGANS
IT WISHES TO INCLUDE AMONG THOSE PROVIDING SERVICES TO THE
UN.

6. DURING CND DISCUSSION ON FEBRUARY 17 OF ITEM 6C
(SCIENTIFIC RESEARCH) GDR REPRESENTATIVE INTERVENED TO
SUPPORT THE EARLIER STATEMENT OF USSR AND STATED THAT, IN
ACCORD WITH THE QUADRIPARTITE AGREEMENT, WEST BERLIN IS NOT
A CONSTITUENT PART OF THE FRG. THEREFORE, THE FEDERAL
HEALTH OFFICE IS ILLEGALLY LOCATED IN WEST BERLIN AND
SHOULD NOT BE MENTIONED IN UN DOCUMENTS. CHAIRMAN
OBSERVED THAT THE COMMISSION HAD ALREADY DISPOSED OF THIS
SUBJECT UNDER THE PREVIOUS AGENDA ITEM, BUT ASKED WHETHER
THE UK (AS PREVIOUS TRIPARTITE SPOKESMAN) WISHED TO
EXERCISE A RIGHT OF REPLY. THE UK REPRESENTATIVE THEN
STATED ON BEHALF OF FRANCE, UK AND US THAT COUNTRIES WHICH
ARE NOT PARTIES TO THE QUADRIPARTITE AGREEMENT ARE NOT
COMPETENT TO COMMENT ON THAT AGREEMENT.

7. IN VIEW OF THE CITATIONS OF THE SOVIET LETTER READ INTO THE RECORD BY BOTH THE SOVIET REPRESENTATIVE AND THE DIRECTOR OF ITS DIVISION OF NARCOTIC DRUGS, THE FRENCH, UK AND US MISSIONS PLAN A COORDINATED WRITTEN COMMUNICATION TO THE DIRECTOR TO BE DEVELOPED ON THE BASIS OF THE CONTINGENCY LANGUAGE FOUND IN PARA 5A AND AT 5G OF BONN 4739. VANDEN HEUVEL

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Message Attributes

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Draft Date: 21 feb 1978
Decaption Date: 01 jan 1960
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Disposition Action: RELEASED
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